IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.482 OF 2006
IN
CRIMINAL APPEAL NO.452 OF 2006

Shyamkant Genba Sinde and others ...Applicants

vs.

The State of Maharashtra ...Respondent

Mr.S.P.Kadam for the Applicants
Mr.A.S.Shitole A.P.P. for State

CORAM: A.S.OKA,J.
DATE : OCTOBER 7,2006.

P.C.:

1. The learned Advocate for the Applicant states that at this stage he is not pressing the prayer for bail in so far as Applicant No.2 is concerned.

2. The conviction of the Applicant No.1 is for offence under section 307 of the Indian Penal Code and substantive sentence is of 7 years R.I. I have perused the notes of evidence. The allegation against the Applicant No.1 is of assaulting the injured person by air pump on his back. A serious allegation has been made against the Applicant No.2 of assaulting the injured with a sword. So far as the Applicant No.1 is concerned, he was on bail through-out the trial. There is no allegation of misuse of the liberty granted to him. Hence, the Applicant No.1 deserves to be enlarged on bail.

3. Hence, I pass the following order :

i) The Applicant No.1-Shyamkant Genba Shinde shall be enlarged on the same bail on which he was enlarged during the pendency of trial subject to filing fresh bail bonds.

ii) Bail is granted subject to condition that the Applicant no.1 will report to the concerned police station once in every calendar month.

iii) The prayer for bail of the Applicant No.2 is dismissed as not pressed.

iv) Hearing of the Appeal is expedited.

JUDGE